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Notice of Allowability

Application No.

10/626,417

Examiner

William L. Miller

Applicant(s)

PONTONE ET AL.

Art Unit

3677

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment received 01-03-2005.
2. ☒ The allowed claim(s) is/are 1-16.
3. ☒ The drawings filed on 23 July 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>01262005</u> . |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date <u>10272003</u> | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

Election/Restrictions

1. Applicant's election with traverse of Invention II, claims 12-16, in the reply filed on 01-03-2005 is acknowledged. The traversal is on the ground(s) that Invention I and II are not distinct as product claim 12 has been amended to recite the claimed method step of crimping. This is found persuasive and the restriction requirement is hereby rescinded. Claims 1-16 have been considered and are allowed.

Examiner's Amendment

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Fritz Schweitzer III on 01-26-2005.

The application has been amended as follows:

In the claims:

Claim 7, line 2, change "6" to --5--;

Claim 7, line 4, after ",", insert --wherein said inner tube defines said neck portion and said outer tube defines said body portion,--; and

Claim 16, line 4, after ",", insert --wherein said inner tube defines said neck portion and said outer tube defines said body portion,--.

3. The following is an examiner's statement of reasons for allowance: Lloyd (US#54578641) discloses a burial casket 100 comprising: a through fitting having a body portion (internally threaded outer tube) 154 with a through hole along an axis and a concave end defining a shoulder portion; a neck portion (externally threaded inner tube) 160 having an outside diameter less than an outside diameter of the body portion and extending axially outwardly from the concave shoulder portion of the body portion; and a hole 114 in the curved corner of the casket having a rim with convex inner and outer surfaces, the hole allowing the neck portion to pass therethrough and the rim disposed to engage the shoulder portion.

4. Regarding claim 1, Lloyd fails to disclose the neck portion having a concave end face, and crimping the neck portion against the rim of the concave inner surface. It would not have been obvious to one of ordinary skill in the art to modify Lloyd such that the neck portion had a concave end face and the neck portion was crimped against the rim of the concave inner surface.

5. Regarding claim 8, Lloyd fails to disclose the second end of the inner tube having a substantially concave face, and crimping the second end of the inner tube against an interior surface of the casket. It would not have been obvious to one of ordinary skill in the art to modify Lloyd such that the second end of the inner tube had a substantially concave face and the second end of the inner tube was crimped against an interior surface of the casket.

6. Regarding claim 12, although Lloyd discloses the neck portion has a radially outwardly extending integral flange portion 164, the flange portion is not crimped to and conforming to the concave inner surface of the hole. It would not have been obvious to one of ordinary skill in the

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art to modify Lloyd such that the flange portion was crimped to and conformed to the concave inner surface of the hole.

7. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

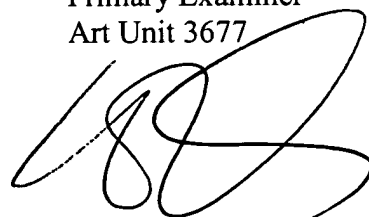
Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to William L. Miller whose telephone number is 703 305 3978. The examiner can normally be reached on Tuesday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, J. J. Swann can be reached on 703 306 4115. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

William L. Miller
Primary Examiner
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A handwritten signature in black ink, appearing to be 'WLM', written over the printed name and title of the examiner.

WLM
01-26-2005